

**OPINION
53-119**

August 17, 1953 (OPINION)

TAXATION

RE: What is Assessed Valuation

In yours of August 13th, you request the opinion of this office as to whether the assessed valuation referred to in section 15-2716 N.D.R.C. 1943 means the taxable assessed valuation, or the original full assessed valuation.

It is our opinion that the "assessed valuation," found in line four of section 15-2716 means the valuation upon which taxes are assessed; that is, the 50 percent of the full, actual, assessed valuation. The ability of the remaining portion of the district to maintain its schools depends, of course, upon the amount of taxes it can raise for school purposes. And the legislature evidently felt that this could not be done with a district having less than a taxable valuation of less than \$100,000 per teacher.

And almost invariably in our statutes, where "assessed valuation" is mentioned, the 50 percent of actual full valuation is meant; that is, the valuation upon which taxes are levied.

ELMO T. CHRISTIANSON

Attorney General